

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ORIGINAL

TRACEY WHITE, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	Cause No. 14-cv-01490-HEA
)	
THOMAS JACKSON, et al.,)	
)	
Defendants.)	

DEPOSITION OF CHRISTOPHER SHEARER

Taken on behalf of the Defendants
McCOY, McCANN, HILL, BELMAR, and ST. LOUIS COUNTY

March 10, 2016

Reported by: Christine A. LePage, CCR #1000

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EXHIBIT

County
Exhibit BB

1 A No, ma'am.

2 Q And how long have you known Nathan Burns?

3 A Probably almost ten years.

4 Q And how did you -- How do you know him?

5 A Through a mutual -- Well, we all went to
6 Riverview Gardens, but I met him through my -- we have a
7 mutual friend, that's how we met, but we became closer
8 than him and that mutual friend.

9 Q And would you consider him to be a good friend
10 of yours?

11 A Yeah, I consider him my best friend actually.

12 Q Okay. Did you review anything to prepare for
13 the deposition today?

14 A No.

15 Q Did you like read any deposition transcripts or
16 anything?

17 A No.

18 Q How about police reports, anything like that?

19 A No.

20 Q Did you talk to Nathan Burns about his
21 deposition?

22 A Yes.

23 Q What did he tell you?

24 A He told me that there was going to be people,
25 well, asking me questions, he says just make sure you

1 went after I got off work, so I get off at 5:30, so maybe
2 probably around 6.

3 Q Was it still light out when you went there?

4 A Yes.

5 Q Okay. And where did you meet Nathan?

6 A At Nathan's home.

7 Q And where does he live?

8 A He stays off Chambers. Chambers, (indicating).

9 Q So does he live pretty close to the area that
10 you went to?

11 A Yes, not even -- it's probably walking distance.

12 Q So you met Nathan, and what street did he live
13 on at the time?

14 A He still stays there. I don't know the name of
15 the street.

16 Q Okay. But you know where it is?

17 A Yes.

18 Q And --

19 A I could tell you the apartment complex, I
20 don't know --

21 Q Oh, do you know the name of the apartment
22 complex?

23 A Yes, The Woodlands.

24 Q The Willands [sic]?

25 A Yes.

1 Q So did you drive to his apartment then?

2 A Yes.

3 Q And once you got to his apartment, what did you
4 do?

5 A We went to West Florissant.

6 Q And what was your plan?

7 A Just to -- I mean, it was basically to see what
8 was going on. We hadn't -- We saw it on TV, you know,
9 this is basically history, so to see what's actually going
10 on.

11 Q Okay. Did you drive there or did you walk
12 there?

13 A We drove.

14 Q And whose car did you take?

15 A Nathan's.

16 Q What kind of car does he have?

17 A A Dodge Charger.

18 Q So where exactly did you go in Nathan's car?

19 A Meaning --

20 Q Out -- Like where did you drive?

21 A We drove to West Florissant.

22 Q Where on West Florissant?

23 A It was -- We parked a street over from West
24 Florissant, because they -- we couldn't park on the
25 street.

1 Q So do you remember what street you parked on?

2 A No.

3 Q If you look at -- I've given you -- there's a
4 St. Louis County parcel map that's in front of you right
5 now, and maybe we can have the court reporter mark it in a
6 minute, but looking at this parcel map, does this kind of
7 look familiar in terms of what the area --

8 A Yes.

9 Q -- looks like? In looking at this map, can you
10 determine what street or where you parked the car?

11 A Could I turn it?

12 Q Sure.

13 A This is Chambers, this is West Florissant.
14 Gage, (indicating). I'm thinking Gage.

15 Q Okay. And about how far up on Gage did you
16 park?

17 A It was like around right here, (indicating,)
18 because we end up -- Yeah, like right here, (indicating).

19 Q Sort of somewhere between -- is that Lang Drive
20 and Highmont?

21 A Yes, but closer to Lang Drive on Gage.

22 Q Okay. And so did you -- you actually parked the
23 car on Gage, correct?

24 A Yes.

25 Q And then what did you do?

1 of history, I wanted to be part of that, to be able to
2 tell my daughter, you know, this happened when I was
3 there, just as if I was alive when Martin Luther King was
4 marching I would have did the same thing.

5 Q Did you consider yourself a protester?

6 A Yes.

7 Q Okay. So how long did you stay in that
8 particular area?

9 A Particular area, meaning what?

10 Q By the QuikTrip.

11 A Not long, they started shooting tear gas.

12 Q And it was still light at this point in time; is
13 that correct?

14 A Yes.

15 Q What do you mean they started shooting tear gas?

16 A They fired tear gas into the crowd.

17 Q Who fired tear gas?

18 A The police, or -- yeah, the police.

19 Q Do you know which police did this or --

20 A No.

21 Q Did you see where the tear gas came from?

22 A It came from them, I can't actually pinpoint,
23 oh, it was that police officer, I can't do that, but I
24 know it came from the police.

25 Q Did you personally get subject to tear gas?

1 A No.

2 Q So how do you know it was tear gas?

3 A Because people were coughing and crying,
4 neighbors -- the people in the neighborhood came out
5 putting milk on people eyes. I've been -- I know what
6 tear gas is, so --

7 Q How do you know what tear gas is?

8 A I know what it is, because it makes you -- from
9 watching TV and things like that, I know what it does to
10 you. I know it's not Mace.

11 Q Okay. Did you hear any gunshots before the tear
12 gas was deployed?

13 A Gunshots, like --

14 Q Just gun -- Did you hear any gunshots before the
15 tear gas was deployed?

16 A No.

17 Q Do you know what prompted the tear gas to be
18 deployed?

19 A No.

20 Q Before the tear gas was deployed, did you hear
21 any announcements coming from the police?

22 A Yes.

23 Q What did you hear?

24 A "Go to your homes."

25 Q "Go to" --

1 A -- "your homes."

2 Q "Go to your homes"?

3 A Yes.

4 Q Was that announcement made on a loud speaker?

5 A Yes.

6 Q How many times was that announcement made that
7 you heard?

8 A I don't know, I really can't recall. I remember
9 it being said.

10 Q And that was before the tear gas was used?

11 A Yes.

12 Q Okay. So you were with Nathan at the time?

13 A Yes.

14 Q What was Nathan wearing, do you recall?

15 A I think a black hoodie. Other than that, I
16 don't remember what else.

17 Q A sweatshirt?

18 A A hoodie.

19 Q I mean, I consider a hoodie a sweatshirt; is
20 that --

21 A No, it's not.

22 Q So do you know what kind of material?

23 A No.

24 Q Like sweatshirt material or T-shirt material
25 or --

1 Q Was there any -- Did you receive any Mace?

2 A No, they Maced the car. I was in the car.

3 Q They Maced the car?

4 A They Maced Nathan's car.

5 Q So you were in the car?

6 A Right. Well, I ran to -- When they ran into the
7 neighborhood doing whatever they were doing, I ran to the
8 car.

9 Q Where was Nathan?

10 A I don't know.

11 Q So you left Nathan?

12 A Yes.

13 Q And you actually got in the car and he was
14 someplace else; is that correct?

15 A Right.

16 Q So did you actually see Nathan get Maced?

17 A No, I didn't.

18 Q Did you notice anybody throwing anything at the
19 police?

20 A No.

21 Q Did you notice anything -- anybody making any
22 kind of throwing motions?

23 A No.

24 Q At what point did you go and get into the car?

25 A When they ran up to shooting tear gas, they like

1 A Besides what I just told you, no.

2 Q Correct, okay. Did you hear any police officer
3 say anything directly to Nathan?

4 A No, after -- I didn't -- No. I don't even know
5 where Nathan was at at that point. When they rushed the
6 crowd or whatever, I don't -- everything just -- I don't
7 know where they were, I don't know where Nathan went.

8 Q When the police told you to get off the street,
9 where did you do?

10 A I drove off.

11 Q Where did you go?

12 A I drove up -- I turned off and went right onto
13 West Florissant, and I sat there, and then I started
14 calling Nathan's phone.

15 Q So you turned right. So you went towards
16 Chambers?

17 A Right, but I stopped, I didn't even go up -- I
18 stopped because I was in Nathan's car.

19 Q Did you have keys to the car?

20 A Yes.

21 Q How did you have keys?

22 A That I don't even remember.

23 Q Do you normally carry keys to Nathan's car?

24 A No. I don't remember how I had his keys. But
25 you don't -- if he's right there, he has a push start, I

1 A Yes.

2 Q For --

3 A Arrested like --

4 Q By the police.

5 A Yes.

6 Q When was this?

7 A Warrants, it's not -- I mean, when was it?

8 Q Yeah.

9 A Years ago.

10 Q And was it just once?

11 A It was multiple times.

12 Q Do you know what departments arrested you?

13 A No. I mean, I had warrants, so I don't know --

14 Q What were the warrants for?

15 A Traffic tickets.

16 Q And do you know how many times you got arrested?

17 A No.

18 Q Other than being arrested for warrants, have you
19 had any other contact with police?

20 A No.

21 Q Have you had any personal negative contact with
22 the police?

23 A No.

24 Q Did Nathan tell you that he was injured at all
25 by what happened that night?

1 A No.

2 Q Did you ever see a white police officer who was
3 approximately five feet six to five feet nine inches tall,
4 weighed approximately 220 pounds, was like maybe late 30s
5 to mid 40s and short hair, do you remember seeing anybody
6 like that in particular?

7 A No.

8 Q Do you remember seeing any rocks or any debris
9 in the area where you were that night?

10 A No.

11 Q On the ground or --

12 A No.

13 Q Are you saying that there weren't any rocks or
14 debris or you just don't remember?

15 A You're telling me did I see it?

16 Q Correct.

17 A No.

18 Q Have you been back to this area since?

19 A Yeah, I have family that stays over there.

20 Q Where?

21 A Just in that general -- I mean, just in
22 Ferguson, I have family there.

23 Q What street?

24 A I don't know. I don't really go off streets, I
25 just know where I'm going. Northwinds Apartments, that's